

MINUTE ENTRY

8:10 a.m.

UNITED STATES OF AMERICA -v- PARK, KYUNG SOON

PRESENT: HON. ALEX R. MUNSON, Chief Judge Presiding
SANAE SHMULL, Court Reporter
K. LYNN LEMIEUX, Courtroom Deputy
PATRICK SMITH, Assistant U. S. Attorney
TIMOTHY MORAN, Assistant U.S. Attorney
JOSEPH ARRIOLA, Counsel for Defendant
PARK, KYUNG SOON, Defendant

PROCEEDING: SENTENCING

Defendant was present with his court appointed counsel, Attorney Joseph Arriola. Government by Patrick Smith, AUSA. Also present was U.S. Probation Officer, Margarita Wonenberg.

Cho Eun Yong was present as Interpreter/Translator of the Korean language.

Court noted several errors in the Presentence Report and the corrections were made on the record. No objection by the government of the presentence report. Counsel for defendant had some objections and these were noted but the report was not amended.

Court adopted the presentence investigation report and instructed the Clerk to file the amended report, under seal, and that the report be made available if the judgment is appealed. The probation officer's recommendation shall also be placed under seal. No objection by the parties.

Government recommended that the sentencing should be at the upper level of the guideline range at 108 months imprisonment. Defense recommended that the defendant be sentenced on the low-end of the guideline range. Defendant made his allocution to the Court.

SENTENCE: Pursuant to the Sentencing Reform Act of 1984, it is the judgment of the Court that the defendant KYUNG SOON PARK, as to Count I is hereby sentenced to the custody of the Bureau of Prisons to be imprisoned for a period of 109 months, as to Count II, is hereby sentenced to the custody of the Bureau of Prisons to be imprisoned for a period of 109 months, and as to Count III, is hereby sentenced to the custody of the Bureau of Prisons to be imprisoned for a period of 109 months. Each of the sentences shall run concurrently. The defendant shall receive credit for time already served.

FORFEITURE: As the result of the guilty verdict on Counts One through Three of the Superceding Indictment, for which the Government sought forfeiture pursuant to 18 U.S. C. Â§982(a)(1)Â©), it is further ordered that the defendant shall forfeit to the United States all property constituting, or derived from, proceeds/ gross proceeds the defendant obtained directly or indirectly, as the result of such violations. It is ordered that the defendant forfeit all United States currency funds or other monetary instruments credited to account number 0103-142160 in the name of Tinian University, located at the Bank of Guam, Saipan, CNMI; all United States currency funds or other monetary instruments credited to account number

0103-150257 in the name of Saipan University, located at the Bank of Guam, Saipan, CNMI; and all United States currency funds or other monetary instruments credited to account number 0032293794 in the name of Jesus I. Taisague, located at the Bank of Hawaii, Saipan, CNMI.

Upon release from imprisonment, the defendant shall be placed on supervised release for three years with the following conditions:

1. That the defendant shall be delivered to a duly authorized immigration official for deportation proceedings pursuant to 18 U.S.C. Â§3583 (d), and with the established procedures provided by the Immigration and Naturalization Act under 8 U.S.C. Â§1101. As a further condition of supervised release, if ordered deported, the defendant shall remain outside and shall not re-enter the United States without the permission of the United States Attorney General. If deportation fails to occur and the defendant is pending further immigration proceedings, he shall immediately report to the U.S. Probation Office to begin his term of supervised release;
2. That the defendant shall not commit another federal, state, or local crime;
3. That the defendant shall not use or possess illegal controlled substances;
4. That the defendant shall not possess a firearm or other dangerous weapon;
5. That the defendant shall comply with the standard conditions of supervised release as set forth by the U.S. Sentencing Commission;
6. That the defendant shall permit the Probation Officer access to any and all financial documents and records; and
7. That the defendant shall perform 300 hours of community service.

It is ordered that the defendant shall pay restitution in the amount of \$567,432. Payment is due immediately and shall be remitted to the District Court of the Northern Mariana Islands, Attention: Clerk of Court, for disbursement as follows:

Teng Jian
#919 P.O. Box 10006
Saipan, MP 96950
or
Room 703, Unit 1, No. 72 Shangzhi Road
Qingdao City, Shandong Province, China \$ 5,900.00

Zang Shi Jia
#1 504 Qingdao City, China \$ 5,750.00

Chai Hong Yan \$ 5,850.00
(No address provided.)

Jin Xing
Group 6, Yong Shen Chun, Hua Yen Xiang,
Mei He Kou City
Ji Lin Province, China \$ 7,650.00

Jin Ming Nan \$ 7,300.00
(No address provided.)

Zhu Tong Mei
P.O. Box 501867
Gualo Rai, Saipan, MP 96950
or
Room 302, Unit 2, Building 1
No. 218 Nanjing Road
Qing Dao City, China \$ 5,389.00

An Meizi
Qing Shan Shi Ni Pin
Loong Cheng Xiang
Li Loong City
Ji Lin Province, China \$ 7,218.00

Jin Ying Lan
(No address provided.) \$ 7,300.00

Jin Yong Kuan
Ming Hang Ru Xiao (Jin Yong Cheng)
Loong Sha District
Chi Chi Ha Er City
Hai Lung Jiang Province, China \$ 7,670.00

Liu Qiong Di
Block 17 #601 Er Men Ke Chi Hua Yuen
Chang Chun City
Ji Lin Province, China \$ 6,050.00

Lu Chong
(No address provided.) \$ 6,100.00

Guo Zhang Ming
(No address provided.) \$ 6,250.00

Lu Xin
(No address provided.) \$ 6,350.00

Liu Shun Li
(No Address provided.) \$ 8,697.00

Li Jing
RIFU Poongin Garment
Saipan, MP 96950 \$ 6,270.00

Lin Jian
P.O. Box 504763
Saipan, MP 96950 \$ 8,830.00

Cai Hu
(No address provided.) \$ 7,300.00

Guo Yanmin
Yen Ji City
Ji Lin Province, China \$ 6,310.00

Lu Ning
(No address provided.) \$ 6,250.00

Chen Yong Xiang
(No address provided.) \$ 7,300.00

Li Yue
(No address provided.) \$ 7,250.00

Qui Yong Qiang
(No address provided.) \$ 7,250.00

Quan Xiang Yu
(No address provided.) \$ 7,000.00

Li Hai Yan
Block 204 #1104
Bin He Xi District
Nan Guan District, Chang Chun City
Ji Lin Province, China \$ 5,750.00

Liu Chun Tang
(No address provided.) \$ 7,000.00

An Qi
(No address provided.) \$ 6,150.00

Ye Min Kun
(No address provided.) \$ 7,261.00

Jin Hu
(No address provided.) \$ 7,000.00

Li Fan
(No address provided.) \$ 7,018.00

Jin Shun Yu
Er Dao Kang Da Yin Zhen
Mei He Kou City
Ji Lin Province, China \$ 8,000.00

Gu Mingshan
Yen Ji City
Ji Lin Province, China \$ 8,000.00

Wang Yan Feng
(No address provided.) \$ 8,697.00

Lin Jun Zhe
(No address provided.) \$ 7,500.00

Lan Cheng Bin
#288 Nang Jia Chun

Dao Chun Ba Sha Tang Zhen Lu Shan City, Wei Hai City Shan Tung Province, China	\$ 6,800.00
Wang Rui (No address provided.)	\$ 6, 350.00
Song Dezhen (No address provided.)	\$ 6,390.00
Xing Meng Xue He Nan Province of Zhen Zhou City Jing Yi Road #20 Zhen Zhou City, Ching	\$10,700.00
Ding Ding (No address provided.)	\$ 8,150.00
Wang Lishao P.O. Box 501867 Gualo Rai Saipan, MP 96950 or Room 301, Unit 1, No. 74, Yan An E Road Qing Dao City, Shangdong Province, China	\$ 6,384.00
Yan Li Xin Block 204, #1104 Bin He Xi District Nan Guan District Chang Chun City Ji Lin Province, China	\$ 5,750.00
Liu Ji You Ning Min Xuang Wang Chi, China	\$ 7,344.00
Yu Zhong Ping Wu Men Block 201, Group 21 Er Loong Ru 21, Tong Men Y Wei Hai Srteet, Tung Hua City, China	\$ 7,607.00
Jin Guang Yao Chi Hua Tong Tang Tong District Ji Lin City, Ji Lin Province, China	\$ 5,750.00
Liu Xiang Zhe (No address provided.)	\$ 7,300.00
Li Guang Fan (No address provided.)	\$ 7,000.00
Jin Zai He (No address provided.)	\$ 7,000.00

Chen Gang
Huang Ching County
Ji Lin Province, China \$ 8,400.00

Meng Wen Zhe
(No address provided.) \$ 7,300.00

Li Guo Kui
10 Block #15
Nan Shan Huo Loong District
Kai Shan Zhen, Loong Jin City
Ji Lin Province, China \$ 7,500.00

Zhang Lei
P.O. Box 504763
Saipan, MP 96950 \$ 6,150.00

Cai Mei Zi
Guang Cao Kai Shan, Loong Jin City
Ji Lin Province, China \$ 7,200.00

Han Long Shan
Guang Cung Chun Kai Shan
Loong Jin City
Ji Lin Province, China \$ 7,200.00

Sui Guo Wei
RIFU Poongin Garment
Saipan, MP 96950 \$ 7,150.00

Zhang Hua Ming
#70 Yang Ke Chuang Ba District
Ya Tou Zhen, Yoong, Cheng City
Shan Tung Province, China \$ 6,300.00

Liu Zhen Hong
(No address provided.) \$ 8,697.00

Payments will also be made to each of the following victims in the amount of \$5,450.00:

Jin Guo Dao, Jin Ming Zhu, Jin Yin Jin, Ma Guang Chun, Cui Lin, Gao Song Ge, Jin Chun Lin, Jin Song Shun, Zheng Chun Ji, Jin Chun Yu, Cui Xun, Li Wan Xi, Cai Zhu Lie, Cui Sheng Yu, Cui Yong Hao, Jin Chun Lan, Jin Son Quan, Li Jin Dan, Quan Hong Zi, Dong Wei, Hang Qing Long, Jin Hu, Jin Jihu, Jin Yong Wen, Li Yin Gai, Qiu Yong Zhe, Xu Ting He, Xu Ting He, Xu Zu Hong, Xue Gang, Yang Yuan, Yin Ming Hao, Zhang Wei, and Zhao Wei.

Pursuant to Â§5E1.2(f) of the guidelines, all fines were waived as it was determined that the defendant does not have the ability to pay.

It was further ordered that the defendant pay to the United States a special assessment fee of \$300.

No objection to the sentence by the attorneys. Defendant was advised that he had ten days in which to appeal his sentence. Further, the defendant was advised of his right to an attorney for appeal.

Court ordered that the defendant's passport be released to the U.S. Marshal for transport of this defendant.

Adj 9:15 a.m.

; [KLL EOD 01/06/2005]